

**MINUTES
CITY COUNCIL MEETING
MONDAY, APRIL 5, 2010**

CALL TO ORDER Mayor Shoals called the meeting to order at 6:30 p.m. in the City Hall Council Chambers, 154 South Eighth Street, Grover Beach, California.

MOMENT OF SILENCE

FLAG SALUTE The flag salute was led by Council Member Mires.

ROLL CALL

City Council: Council Members Bright, Mires, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals were present.

City Staff: City Manager Perrault, City Attorney Koczanowicz, Administrative Secretary Toles, Administrative Services Director Chapman, Community Development Director Buckingham, Public Works Director/City Engineer Ray, Police Chief Copsey, Fire Chief Hubert, Parks and Recreation Director Petker, Public Works Superintendent Ford, and Planner II Reese were also present.

Also present were City Engineer (for Sewer/Water) Garing, and Exploration Station representatives Jenna McDaniel, Program Coordinator, and Debra Love, Executive Director.

AGENDA REVIEW

Action: Upon unanimous consensus, the Council adopted the agenda as presented.

CEREMONIAL CALENDAR

1. Proclamation Declaring Friday, April 30, 2010 as “Arbor Day”.

Council Member Peterson read and presented the proclamation to Parks and Recreation Director Petker, who invited all those present to attend this year’s Arbor Day event to be held on Friday, April 30, 2010 at Ramona Garden Park in partnership with the Boys and Girls Club. The event would include a presentation and crafts and entertainment for over 100 children, as well as the planting of a tree.

2. Proclamation Declaring April 11-17, 2010 as “National Public Safety Telecommunications Week”.

Mayor Pro Tem Nicolls read and presented the proclamation to Police Chief Copsey, who received it on behalf of the Police Department’s Communications and Records staff.

3. California Law Enforcement Challenge Program.

Police Chief Copsey described the program sponsored by the California Highway Patrol Office of Traffic Safety to recognize traffic safety accomplishments, which included a competition among similar-sized law enforcement agencies to recognize the best overall programs for improving traffic safety. The Grover Beach Police Department received an award for departments with 16-25 sworn police officers. He then presented the award to Lieutenant Bewick, who thanked the Chief and acknowledged the efforts of Traffic Officer Hollis, who was not available to attend the meeting.

4. Introduction of New Employee - Public Works Director/City Engineer Gregory A. Ray.

City Manager Perrault introduced Public Works Director/City Engineer Greg Ray to the City Council and members of the audience.

5. Proclamation Declaring April 2010 as “Month of the Child” and “Child Abuse Prevention Month”, and April 10, 2010 as “Day of the Child”.

Council Member Bright read and presented the proclamation to Aricelli Castaneda, a licensed child care provider in Grover Beach, who distributed information regarding the San Luis Obispo County Child Care Planning Council and a schedule of events.

PRESENTATIONS

6. Presentation from the South County Family Educational and Cultural Center Regarding Activities at the “Exploration Station”.

Program Coordinator Jenna McDaniel and Executive Director Debra Love of the Exploration Station presented information regarding programs and activities offered for youth and adults, Computers for Youth program, Electronic Waste Recycling program, facility room rentals, and the Interactive Science Center. They described the Board’s goal to eventually expand the building to a two-story facility and outlined opportunities for residents to support their efforts through donations, sponsorships or becoming a volunteer.

PUBLIC COMMUNICATIONS The Mayor opened the floor to any member of the public for comment on items of interest which were within the jurisdiction of the City Council, but were not listed on the agenda.

- A. Administrative Services Director Chapman described the Shop and Dine in Grover Beach local economic stimulus program and the random drawings held each month for gift certificates that could be redeemed at local participating restaurants and merchants. With the assistance of Aricelli Castaneda and Jenna McDaniel, the names of the following winners were announced: E.A. Bello, Bruce Brown, Sam & Leah Greeley, Lyne Hamel, C. Krasner, Christine McAlinden, Carmine Morningstar, Richard G. Peterson, Judy Puma, and Steve Souza.

PUBLIC HEARINGS

Prior to discussion of Public Hearing Item No. 7, Council Member Mires declared a conflict of interest, due to his membership on the Board of Directors for the Exploration Station. He then stepped down from the dais and left the Council Chambers.

7. Recommendation to the San Luis Obispo County Board of Supervisors to Approve the Final Allocations for the 2010 Funding Cycle for the Community Development Block Grant (CDBG) Program and Reallocate 2009 Funds.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. For the information of those present, Planner II Reese provided an overview of the Community Development Block Grant (CDBG) Program and anticipated allocation of CDBG funds from the County. Instead of participating with the County, she said the City could seek grant funding directly from the State. The advantage would be the size of the grant being significantly larger. The disadvantage would be the competitive application process and the likelihood that funding would not be received on a consistent year-to-year basis. In order to initiate the process to seek funds directly from the State and be competitive, it was recommended that a survey be conducted to identify the number of existing “targeted income households”; i.e., households with annual incomes less than 80 percent of the median income, commonly referred to as “low-income households”. The survey would also assist with defining the areas eligible for grant funding. Costs for the household income survey would be CDBG-eligible from the current year’s allocation.

Planner II Reese then reviewed the recommendations presented at the Public Hearing in December 2009, described the recommended approach for completing the income survey and analysis across two fiscal cycles, outlined a proposed application timeline, and presented recommended allocations for 2010 CDBG Program Year Funds. She then responded to questions from the Council.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter.

The following persons spoke in support of their respective organization's funding requests:

- Larry Feldt, Grover Beach resident and Supervisor of Community Action Partnership of San Luis Obispo, Homeless Services Case Management Office; and
- Ken Kehs, Development Director, Big Brothers Big Sisters Program of San Luis Obispo County.

Brief Council discussion was held regarding whether to continue with the current program or apply directly to the State for CDBG funding. Additional discussion was held regarding the individual applications; the Exploration Station's late application and programs offered to local residents compared to regional programs offered by the other applicants, who received funding from multiple sources; adjusting the recommended allocation for some applicants under the category of "Public Services"; and other potential sources to fund public service programs.

Mayor Shoals allowed comments again from those in the audience who wished to be heard on this matter.

The following persons reiterated their support of their respective organization's funding requests and confirmed that services were being provided to residents of the South County, including residents of Grover Beach:

- Larry Feldt, Community Action Partnership of San Luis Obispo, representing both the Maxine Lewis Memorial Shelter and Senior Health Screening Program; and
- Ken Kehs, Big Brothers Big Sisters Program of San Luis Obispo County.

There were no further public comments received and the Mayor closed the Public Hearing.

Additional Council discussion was held regarding programs provided for seniors.

Action: It was m/s by Mayor Pro Tem Nicolls/Council Members Peterson to: 1) adopt Resolution No. 10-16 recommending to the San Luis Obispo County Board of Supervisors to adopt funding recommendations allocating the 2010 CDBG Program Year Funds and reallocating 2009 CDBG Program Year Funds; and 2) reduce funding by \$500 each for the following organizations: Big Brothers and Big Sisters, Maxine Lewis Memorial Shelter, Senior Health Screening Program, and Transitions Mental Health program, and add \$2,000 to the \$1,522 recommended to be allocated to the Exploration Station for a total of \$3,522. The motion failed on the following roll call vote:

AYES: Council Member Peterson and Mayor Pro Tem Nicolls.
NOES: Council Member Bright and Mayor Shoals.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.
RECUSED: Council Member Mires (due to a conflict of interest).

Action: It was m/s by Council Members Bright/Peterson to: 1) adopt Resolution No. 10-16 recommending to the San Luis Obispo County Board of Supervisors to adopt funding recommendations allocating the 2010 CDBG Program Year Funds and reallocating 2009 CDBG Program Year Funds, and 2) reduce funding by \$500 from the following organizations: Big Brothers and Big Sisters, Maxine Lewis Memorial Shelter, and Transitions Mental Health and add \$1,500 to the \$1,522 recommended to be allocated to the Exploration Station for a total of \$3,022. The motion carried on the following roll call vote:

AYES: Council Members Bright, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.
RECUSED: Council Member Mires (due to a conflict of interest).

Resolution No. 10-16: A Resolution of the City Council of the City of Grover Beach, California, Approving the 2010 Community Development Block Grant (CDBG) Program and Recommendations for Allocation by the San Luis Obispo County Board of Supervisors and Amending the 2009 Annual Action Plan for the City's CDBG Program and Reallocating CDBG Funds.

At this time, Council Member Mires returned to the dais.

Council discussion continued regarding participation in the entitlement program with the County, restrictions under the State's program regarding a majority of the allocation being dedicated for only one project or organization rather than multiple projects or organizations, data that would be available once the survey had been completed to determine the City's potential for competing for funds on a statewide level, and surveying other cities to determine the success rate of participating in the State's program.

Upon question, staff confirmed that the resolution just adopted by the Council included reallocation of CDBG funds received in FY 10 to complete the preparation of the Income Survey. Phase I would be conducted in FY 10, and Phase II would be completed in FY 11.

Recess: Upon consensus of the City Council, the meeting recessed at 7:45 p.m.
Reconvene: At 7:59 p.m., the meeting reconvened with all Council Members present.

- 8. Time Extension for Development Permit Application No. 06-022.**
Project Location: 267 N. 14th Street (APN 060-17-042). Applicant: Mike Allshouse.

It was announced that the City Council was scheduled to consider a request for additional time to construct a five-unit condominium project and record the corresponding tract map. However, after the notice had been published, staff became aware of legislation that extended the project's approval until May 2012. Therefore, no action by the City Council was required at this time and no public comments were received.

- 9. Proposed Change to the California Public Employees Retirement System (CalPERS) Contract for Sworn Members of the Grover Beach Police Officers' Association.**

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. For the information of those present, Administrative Services Director Chapman provided a brief overview of the proposed contract amendment to provide enhanced retirement benefits (Local Safety 3% at Age 55 Modified Retirement Formula and Military Service Credit as Public Service) to sworn members of the Police Department. She also stated that a CalPERS actuary, Barbara Wares, was available by conference phone to respond to any questions.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter. There was no response and he closed the Public Hearing.

It was noted that this item had been previously negotiated for in the current multi-year Memorandum of Understanding with the Police Officers' Association, and that no additional salary adjustment was being included.

Action: It was m/s by Council Members Mires/Peterson to: 1) conduct first reading, by title only, of Ordinance No. 10-02 amending the agreement with CalPERS for Local Safety members; 2) schedule second reading and adoption at a regular City Council meeting not less than 20 days following this meeting per Government Code Section 20471; and 3) adopt Resolution No. 10-17 regarding the intention to approve an amendment to the contract. The motion carried on the following roll call vote:

AYES: Council Members Bright, Mires, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Ordinance No. 10-02: An Ordinance of the City Council of the City of Grover Beach Authorizing an Amendment to the Contract Between the City Council of the City of Grover Beach, California, and the Board of Administration of the California Public Employees' Retirement System. (First Reading only.)

Resolution No. 10-17: Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Grover Beach, California.

CONSENT AGENDA

It was m/s by Council Member Bright/Mayor Shoals to approve Consent Agenda Item Nos. 10, 11, 12, and 13, as recommended. The motion carried on the following roll call vote:

AYES: Council Members Bright, Mires, Peterson, Mayor Pro Tem Nicolls, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

10. Treasurer's Report for the Period March 10 - 30, 2010.

Action: Approved as submitted.

11. Minutes of the City Council Meeting of November 2, 2009.

Action: Approved the minutes as submitted.

12. Acceptance of Department of Homeland Security FY 09 Assistance to Firefighters Grant and Approval to Allocate the Five Percent (5%) Matching Funds Requirement -
Accepting a federal grant for the purchase of auto extrication equipment for rapid rescue of victims of traffic collisions, and authorizing a five percent (5%) share of the total equipment cost.

Action: 1) Adopted Resolution No. 10-18 approving the allocation of the grant and providing City matching funds; and 2) adopted Resolution No. 10-19 amending the Annual Appropriation Resolution.

Resolution No. 10-18: A Resolution of the City Council of the City of Grover Beach, California, Accepting the Department of Homeland Security FY 09 Assistance to Firefighters Grant and Approving the Allocation of the Five Percent (5%) Matching Funds Requirement.

Resolution No. 10-19: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 6th Amendment to the Annual Appropriation Resolution No. 09-47 by Providing Matching Funds in the Amount of \$2,835 for a Department of Homeland Security Grant.

13. City-wide Energy Efficiency Improvements - Funding energy efficiency improvements for City facilities and equipment that would be reimbursed through a one percent (1%) loan from the California Energy Commission and an Energy Efficiency Block Grant.

Action: Adopted Resolution No.10-20 appropriating \$516,008 for City-wide energy efficiency improvements and amending the Annual Appropriation Resolution.

Resolution No. 10-20: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 7th Amendment to the Annual Appropriation Resolution No. 09-47 by Providing Costs for the City-Wide Energy Efficiency Improvements Which Would be Reimbursed Through a One Percent (1%) Loan from the California Energy Commission and an Energy Efficiency Block Grant.

REGULAR BUSINESS

14. 2009 Annual Report on the Status of the General Plan.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, Planner II Reese provided an overview regarding the status

of the City's General Plan and highlighted the steps completed towards implementation of general plan goals and policies.

Brief discussion was held regarding additional elements of the General Plan in need of being updated and recent contact with a representative from the local university to recruit students to assist with that process.

Action: The report was received and filed.

PULLED CONSENT AGENDA ITEMS

None at this time.

Recess: Upon consensus of the City Council, the meeting recessed at 8:09 p.m. to the Joint City Council / Improvement Agency meeting, which was also scheduled for this same evening.

Reconvene: At 8:27 p.m., the meeting reconvened with all Council Members present.

COUNCIL COMMITTEE REPORTS

Council Member Bright stated she had nothing to report.

Council Member Mires stated he had nothing to report.

Mayor Pro Tem Nicolls stated he had nothing to report.

Council Member Peterson reported on the meeting of the San Luis Obispo County Visitors & Conference Bureau (VCB), and distributed copies of the VCB's annual publication, which included information regarding Grover Beach.

Mayor Shoals stated he had nothing to report.

CITY COUNCIL MEMBER ITEMS

None at this time.

COUNCIL COMMUNICATIONS

- A. Council Member Mires expressed concern regarding recent news reports of excessive costs for State-run programs. He also referenced a recent court decision that ruled in favor of San Diego County receiving additional funding for storm water-related projects. He inquired whether the City could pursue a similar action.

Action: Upon unanimous consensus, the Council requested that the City Attorney research the case involving San Diego County receiving funds for storm water-related projects and schedule the matter for discussion at a future meeting, if appropriate.

- B. Mayor Shoals announced that the American Cancer Society's Relay for Life would be held in June 2010 and suggested putting together a City team. He also described attending a recent appreciation luncheon for public safety services and inquired whether there was any interest in hosting a similar event in the South County.

Mayor Pro Tem Nicolls responded that the Grover Beach Rotary Club hosted an annual appreciation luncheon for public safety personnel and planned to continue that program.

Mayor Shoals then suggested recognizing local organizations with proclamations of appreciation for volunteer efforts to improve the community.

Action: Upon consensus, the Mayor would work with the City Manager to prepare proclamations of appreciation for volunteer organizations.

CITY MANAGER'S REPORTS AND COMMENTS

None at this time.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

None at this time.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 8:43 p.m.

/s/JOHN P. SHOALS, MAYOR

Attest:

/s/DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 10/04/2010)

Respectfully Submitted:

/s/LORRIE TOLES, ADMINISTRATIVE SECRETARY